

PATENT

Attorney Docket No.: A57660-1/DJB

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Weiss et al.

Serial No. 08/270,412

Filed: July 5, 1994

For: NOVEL GROWTH FACTOR
RESPONSIVE PROGENITOR CELLS
WHICH CAN BE PROLIFERATED
IN VITRO

) Examiner: ZISKA

) Group Art Unit: 1804

DECLARATION UNDER 37 CFR 1.132

Commissioner of Patents
and Trademarks
Washington, DC 20231

Sir:

The undersigned, Brent A. Reynolds, hereby declares and states that:

1. I am a co-inventor of the subject application and I have read the arguments in the outstanding Official Action, dated September 19, 1995.

2. In paragraph 10 of the Rule 1.132 declaration which I signed on August, 25, 1994, and which was submitted with the Preliminary Amendment to this application, I described an experiment which demonstrated that neural stem cells proliferated *in vitro* in response to amphiregulin. In the present office action, the Examiner found the declaration inconclusive because control experiments were not described.

3. Control experiments have been performed. Cells were isolated from the striatum of a 14 day old mouse embryo using the technique outlined in Example 1 of the specification. Media (DMEM F12/10% hormone mix, see Example 4 of specification) was prepared. No growth factors known to induce stem cell proliferation were added to the medium. Cells were

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added to the media to give a final density of 200,000 cells/ml. The cells were grown in T75 flasks (Nunc) and incubated at 37° C with a 5% CO₂ atmosphere. Only a few cells divided minimally; no cells proliferated to the extent that is observed when the medium is supplemented with a growth factor such as EGF or amphiregulin. This evidences that cells that proliferated in the experiment described in paragraph 10 of the previous declaration, did so in response to amphiregulin.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that willful, false statements may jeopardize the validity/enforceability of the application or any patent issued thereon.

Dated: March 19/1996

Signature: 

Brent A. Reynolds